

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

NORMAN N. SHELTON,

:

Plaintiff

: No. 4:CV-11-0368

vs.

: (Judge Nealon)

WARDEN BLEDSOE, et al.,

:

Defendants

:

ORDER

FILED
SCRANTON
AUG 10 2011
PER
DEPUTY CLERK

Background

On February 25, 2011, Norman N. Shelton, an inmate confined in the United States Penitentiary, Lewisburg (“USP-Lewisburg”), Pennsylvania, filed the above-captioned Bivens¹ action, pursuant to 28 U.S.C. § 1331. He raised claims of deliberate indifference to his safety and excessive use of force with regard to events surrounding an alleged August 30, 2009 assault upon him by his cellmate, and claims regarding his resulting medical care. (Doc. 1, complaint). Currently pending is Plaintiff’s third motion for appointment of counsel. (Doc. 66). For the following reasons, the Court will deny the motion.

Previously, by Order dated March 24, 2011, this Court denied similar motions for appointment counsel. (Doc. 13). That Order provided that if future proceedings demonstrated the need for counsel, Plaintiff’s motion would be reconsidered. Since the entry of that Order, Shelton

1. Bivens v. Six Unknown Agents of the Federal Bureau of Narcotics, 403 U.S. 388, 397 (1971).

has continued to demonstrate a reasonable ability to litigate this action pro se. Furthermore, his latest motion fails to set forth sufficient special circumstances or factors which would warrant the appointment of counsel. See Tabron v. Grace, 6 F.3d 147, 153, 155-57 (3d Cir. 1993).

NOW, THIS 10th DAY OF AUGUST, 2011, IT IS HEREBY ORDERED THAT
Plaintiff's third motion for appointment of counsel, (Doc. 66), is **DENIED**.



United States District Judge